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PTO/SB/21 (08-00)

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**(To be used for all correspondence  
after initial filing)


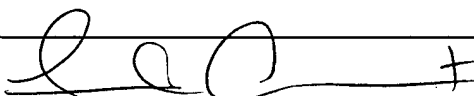
|                      |                     |
|----------------------|---------------------|
| Application Number   | 09/916.240          |
| Filing Date          | July 25, 2001       |
| First Named Inventor | Robert Kenneth Parr |
| Group Art Unit       | 1745                |
| Examiner Name        |                     |
| Attorney Docket No.  | 130109.409          |

**ENCLOSURES (check all that apply)**

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement; Form PTO-1449<br><input type="checkbox"/> Cited References<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Request for Corrected Filing Receipt<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input checked="" type="checkbox"/> Declaration<br><input type="checkbox"/> Statement under 37 CFR 3.73(b)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____<br><input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):<br><u>Copy of Notice to File Missing</u><br><u>Parts</u><br><u>Application Data Sheet</u><br>_____<br>_____ |
|--|---|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                 |   |   |
|-----------------|---|---|
| Individual Name | Frank Abramonte   | <br>00500<br>PATENT TRADEMARK OFFICE |
| Signature       |  |   |
| Date            | November 20, 2001   |   |

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

|                       |  |       |
|-----------------------|--|-------|
| Typed or printed name |  |       |
| Signature             |  | Date: |

#3

|                              |  |                          |                     |
|------------------------------|--|--------------------------|---------------------|
|                              |  | <b>Complete if Known</b> |                     |
|                              |  | Application Number       | 09/916,240          |
|                              |  | Filing Date              | July 25, 2001       |
|                              |  | First Named Inventor     | Robert Kenneth Parr |
|                              |  | Examiner Name            |                     |
|                              |  | Group Art Unit           | 1745                |
| TOTAL AMOUNT OF PAYMENT (\$) |  | 1,062                    |                     |
|                              |  | Attorney Docket No.      | 130109.409          |

|   |   |
|---|---|
| <b>METHOD OF PAYMENT</b>  |   |
| 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:                                    |   |
| Deposit Account Number  | 19-1090                                   |
| Deposit Account Name  | Seed Intellectual Property Law Group PLLC |
| <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit any overpayment to Deposit Account Number above. |   |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |   |
| 2. <input checked="" type="checkbox"/> Payment Enclosed:  |   |
| <input checked="" type="checkbox"/> Check   | <input type="checkbox"/> Credit card      |
| <input type="checkbox"/> Money Order  | <input type="checkbox"/> Other            |

| <b>FEE CALCULATION</b>     |          |              |          |                        |          |
|----------------------------|----------|--------------|----------|------------------------|----------|
| 1. <b>BASIC FILING FEE</b> |          |              |          |                        |          |
| Large Entity               |          | Small Entity |          | Fee Description        | Fee Paid |
| Fee Code                   | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101                        | 740      | 201          | 370      | Utility filing fee     | 740      |
| 106                        | 330      | 206          | 165      | Design filing fee      |          |
| 107                        | 510      | 207          | 255      | Plant filing fee       |          |
| 108                        | 740      | 208          | 370      | Reissue filing fee     |          |
| 114                        | 160      | 214          | 80       | Provisional filing fee |          |
| SUBTOTAL (1)               |          |              |          |                        | (\$ 740) |

| 2. <b>EXTRA CLAIM FEES</b> |          |                     |          |  |          |
|----------------------------|----------|---------------------|----------|--|----------|
| Total Claims               | 26       | -20** =             | 6        | * 18   | = 108    |
| Independent Claims         | 4        | -3** =              | 1        | * 84   | = 84     |
| Multiple Dependent         |          |                     |          | *  |          |
| <b>Large Entity</b>        |          | <b>Small Entity</b> |          |  |          |
| Fee Code                   | Fee (\$) | Fee Code            | Fee (\$) | Fee Description  |          |
| 103                        | 18       | 203                 | 9        | Claims in excess of 20                                     |          |
| 102                        | 84       | 202                 | 42       | Independent claims in excess of 3                          |          |
| 104                        | 280      | 204                 | 140      | Multiple dependent claim, if not paid                      |          |
| 109                        | 84       | 209                 | 42       | ** Reissue independent claims over original patent         |          |
| 110                        | 18       | 210                 | 9        | ** Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2)               |          |                     |          |  | (\$ 192) |

\*\*or number previously paid, if greater; For Reissues, see above

| <b>3. ADDITIONAL FEES</b>         |          |          |          |  |                       |  |
|-----------------------------------|----------|----------|----------|--|-----------------------|--|
| Large Entity                      |          | Small    |          | Fee Description  | Fee Paid              |  |
| Fee Code                          | Fee (\$) | Fee Code | Fee (\$) |  |                       |  |
| 105                               | 130      | 205      | 65       | Surcharge - late filing fee or oath  | 130                   |  |
| 127                               | 50       | 227      | 25       | Surcharge - late provisional filing fee or cover sheet.                    |                       |  |
| 139                               | 130      | 139      | 130      | Non-English specification  |                       |  |
| 147                               | 2,520    | 147      | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |                       |  |
| 112                               | 920*     | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |                       |  |
| 113                               | 1,840*   | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |                       |  |
| 115                               | 110      | 215      | 55       | Extension for reply within first month                                     |                       |  |
| 116                               | 400      | 216      | 200      | Extension for reply within second month                                    |                       |  |
| 117                               | 920      | 217      | 460      | Extension for reply within third month                                     |                       |  |
| 118                               | 1,440    | 218      | 720      | Extension for reply within fourth month                                    |                       |  |
| 128                               | 1,960    | 228      | 980      | Extension for reply within fifth month                                     |                       |  |
| 119                               | 320      | 219      | 160      | Notice of Appeal   |                       |  |
| 120                               | 320      | 220      | 160      | Filing a brief in support of an appeal                                     |                       |  |
| 121                               | 280      | 221      | 140      | Request for oral hearing   |                       |  |
| 138                               | 1,510    | 138      | 1,510    | Petition to institute a public use proceeding                              |                       |  |
| 140                               | 110      | 240      | 55       | Petition to revive - unavoidable   |                       |  |
| 141                               | 1,280    | 241      | 640      | Petition to revive - unintentional   |                       |  |
| 142                               | 1,280    | 242      | 640      | Utility issue fee (or reissue)   |                       |  |
| 143                               | 460      | 243      | 230      | Design issue fee   |                       |  |
| 144                               | 620      | 244      | 310      | Plant issue fee  |                       |  |
| 122                               | 130      | 122      | 130      | Petitions to the Commissioner  |                       |  |
| 123                               | 50       | 123      | 50       | Petitions related to provisional applications                              |                       |  |
| 126                               | 180      | 126      | 180      | Submission of Information Disclosure Stmt                                  |                       |  |
| 581                               | 40       | 581      | 40       | Recording each patent assignment per property (times number of properties) |                       |  |
| 146                               | 740      | 246      | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |                       |  |
| 149                               | 740      | 249      | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |                       |  |
| 179                               | 740      | 279      | 370      | Request for Continued Examination (RCE)                                    |                       |  |
| 169                               | 900      | 169      | 900      | Request for expedited examination of a design application                  |                       |  |
| Other fee (specify) _____         |          |          |          |  |                       |  |
| *Reduced by Basic Filing Fee Paid |          |          |          |  | SUBTOTAL (3) (\$ 130) |  |

|                     |                 |  |                                  |                                      |  |        |
|---------------------|-----------------|--|----------------------------------|--------------------------------------|--|--------|
| <b>SUBMITTED BY</b> |                 |  |                                  | <br>00500<br>PATENT TRADEMARK OFFICE |  |        |
| Name (Print/Type)   | Frank Abramonte |  | Registration No. Attorney/Agent) |                                      |  | 38,066 |
| Firm Name/Address   |                 |  |                                  |                                      |  |        |
| Signature           |                 |  | Date                             | November 20, 2001                    |  |        |



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert Kenneth Parr et al.  
Application No. : 09/916,240  
Filed : July 25, 2001  
For : FUEL CELL SYSTEM METHOD, APPARATUS AND  
SCHEDULING

Art Unit : 1745  
Docket No. : 130109.409  
Date : November 20, 2001

Box Missing Parts  
Commissioner for Patents  
2900 Crystal Drive  
Arlington, VA 22202-3513


RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated September 20, 2001, please find enclosed the following documents:

X Fee  
X Oath/Declaration  
X Election and Power of Attorney  
X Copy of Notice to File Missing Parts  
\_\_\_\_ Sheets of Formal Drawings  
\_\_\_\_ Other \_\_\_\_\_

Respectfully submitted,  
Robert Kenneth Parr et al.  
Seed Intellectual Property Law Group PLLC

  
\_\_\_\_\_  
Frank Abramonte  
Registration No. 38,066

Express Mail No. EL897856285US



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/916,240         | 11/25/2001          | Robert Kenneth Parr   | 130109.409             |

CONFIRMATION NO. 6843

00500  
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVE  
SUITE 6300  
SEATTLE, WA 98104-7092

## FORMALITIES LETTER



\*OC000000006580991\*

Date Mailed: 09/20/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/27/2001 BABRAHA1 00000006 09916240

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 DP  
02 FC:103 130.00 DP  
03 FC:103 108.00 DP  
04 FC:102 84.00 DP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$188.
  - \$108 for 6 total claims over 20.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1028.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE